

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	MISC. NO. 2:07-mc-3371-MEF
)	
STERNE, AGEE, AND LEACH, INC.,)	
Birmingham, Alabama,)	
)	
Garnishee)	
)	
DON EUGENE SIEGELMAN,)	
)	
Defendant)	

MOTION TO PARTIALLY LIFT GARNISHMENT

Comes now the United States, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and respectfully requests that the garnishment previously issued to STERNE, AGEE, and LEACH, INC., Birmingham, Alabama, be partially lifted and as grounds states as follows:

1. On September 7, 2007, this Court issued a writ of garnishment directing the United States Marshal to seize from STERNE, AGEE, and LEACH, INC., Birmingham, Alabama, proceeds in its possession, up to \$50,000.00, belonging to Don Eugene Siegelman.

2. On September 27, 2007, STERNE, AGEE, and LEACH, INC., answered that it had in its possession three brokerage accounts belonging to the defendant Don Eugene Siegelman, in whole or in part.

3. On November 1, 2007, in case # 2:05-cr-119-MEF, the action giving rise to the instant writ of garnishment, the Court entered an Order directing Don Eugene Siegelman to pay into the registry of the Court by November 9, 2007, \$49,960.00 in satisfaction of the judgement entered in case # 2:05-cr-119-MEF.

4. Counsel for Don Eugene Siegelman has advised the undersigned that funds needed to satisfy the judgment in case # 2:05-cr-119-MEF are held by STERNE, AGEE, and LEACH, INC. in account # 1112-1279, in the names of Lori P. Allen and Don Siegelman, which is one of the accounts identified in the answer of STERNE, AGEE, and LEACH, INC.

5. In order that Don Eugene Siegleman may pay the judgment rendered in case # 2:05-cr-119-MEF with the funds held in STERNE, AGEE, and LEACH, INC. account # 1112-1279, it is respectfully requested that the garnishment issued to STERNE, AGEE, and LEACH, INC. be lifted as to account # 1112-1279 in the amount of \$49,960.00.¹

¹ Upon payment of the fine imposed in case # 2:05-cr-119-MEF, the United States will seek to dismiss the garnishment in its' entirety.

Respectfully submitted this 6th day of November, 2007.

LEURA G. CANARY
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have served a copy upon the garnishee by mailing a copy of same, first class postage prepaid to:

STERNE, AGEE, and LEACH, INC.
800 Shades Creek Parkway
Suite 550
Birmingham, AL 35209

s/R. Randolph Neeley
Assistant United States Attorney